

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**UNITED STATES SECURITIES AND  
EXCHANGE COMMISSION,**

**Plaintiff,**

**V.**

**DANIEL C. USTIAN,**

**Defendant.**

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) **Case No. 16-cv-03885**  
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) **Hon. Sara L. Ellis**  
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**ORDER RE SEC'S MOTION FOR OFFICER-DIRECTOR BAR AGAINST  
DEFENDANT DANIEL C. USTIAN**

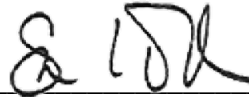
In February 2020, Plaintiff U.S. Securities and Exchange Commission (“SEC”) and Defendant Daniel Ustian (“Ustian”) reached a partial settlement (see Dkt. No. 330), pursuant to which the Court entered a consent judgment on February 27, 2020. (Dkt. No. 333). The consent judgment provided that the issue of an officer and director bar would be resolved after the SEC filed a motion seeking such a bar. *Id.* The Court entered an Order that required the SEC to file any motion seeking an officer-director bar (“Motion”) by March 13, 2020; required Ustian to file a response by April 3, 2020, and required the SEC to file a reply by April 17, 2020. (Dkt. No. 332). The SEC filed the Motion on March 13. (Dkt. No. 334). Various General Orders related to Covid-19 extended the dates for the response and reply to June 19, and July 13, respectively. (Dkt. Nos. 336, 337, 338).

The parties now have informed the Court that without admitting or denying the allegations of the Motion, Ustian agrees not to act as an officer or director of a public company.

(Dkt. No. 339). The remaining issue in this matter now having been agreed to by the consent of Ustian, IT IS HEREBY ORDERED as follows:

1. Pursuant to Section 21(d)(2) of the Securities and Exchange Act of 1934 [15 U.S.C. § 78u(d)(2)] and/Section 20(e) of the Securities Act of 1933 [15 U.S.C. § 77t(e)], Ustian is prohibited from acting as an officer or director of any issuer that has a class of securities registered pursuant to Section 12 of the Exchange Act [15 U.S.C. § 78l] or that is required to file reports pursuant to Section 15(d) of the Exchange Act [15 U.S.C. § 78o(d)].
2. The Motion, having been resolved, is moot.

Dated: June 23, 2020



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SARA L. ELLIS  
United States District Judge